

## **REMARKS**

In reply to the Notice of Non-compliant amendment, the text of claims 22-25 has been added.

Claims 1-26 were pending in this application. Claims 22-25 have been withdrawn. Claim 5 has been cancelled. Claim 27 has been added. Accordingly, claims 1-4 and 6-21 and 26-27 remain in the application. Claims 1-4, 6-25 and 26 stands rejected. Certain claims have been amended. No new matter is believed to have been added. Reconsideration of the application, as amended, is respectfully requested. The drawings have been accepted. The Examiner's objections and rejections are addressed in substantially the same order as in the pending Office Action.

## **DETAILED ACTION**

### **ELECTION/RESTRICTIONS**

In response to the Examiner's Election/restriction requirements, claims 22-25 have been withdrawn without traverse. Accordingly, Applicant requests that such requirement be withdrawn.

### **C LAIM OBJECTIONS**

Claims 11 and 26 are objected to for lack of proper antecedent bases. These claims have been amended to obviate the objections.

### **CLAIM REJECTIONS UNDER 35 USC 102**

Claims 1-12 are rejected under 35 U.S.C. 102(b) as being anticipated by US Patent 5,220,963 to ("Patton").

Claims 1-6, 8, 12-16, 20 and 26 are rejected under 35 U.S.C. as being anticipated by US patent 6,213,226 to ("Eppink") et al.

The Examiner has rejected claims 1-12 as being anticipated by US 5,220,963 (Patton). With respect to claim 1, the Examiner contends that Patton shows adjusting a position of a first center of said first adjustable stabilizer in the wellbore relative to a second center of said second stabilizer based on a desired wellbore trajectory. Examiner admits that such feature is not present in Patton. However, the Examiner contends that whether or not the event of adjusting the centers of the stabilizers is specifically mentioned in the cited prior art is irrelevant because when one center is adjusted, the other center also will adjust.

Applicant has amended claim 1 to include the feature that the wellbore has a center line along the drilling assembly and that the force on the independently adjustable ribs is adjusted to adjust or position the centers of the first and the second stabilizers relative to the centerline of the wellbore for drilling the wellbore along a desired trajectory.

The Patton reference provides controllable stabilizers but does not teach, suggest or disclose the concept of adjusting the centers of the stabilizers with respect to each other and the center line of the wellbore along the drilling assembly to articulate the direction of the drill bit or the drilling assembly so as to drill the wellbore along a desired trajectory. Applicant submits that Patton is not at all concerned with the concept of adjusting or positioning the centers of stabilizers with respect to each other or with respect to the wellbore centerline along the drilling assembly to control the wellbore trajectory. Patton does not teach, suggest or disclose this method of accurately controlling the drilling direction.

Patton, in part, provides:

The term "controllable" means that elements of the stabilizer can be varied such as to affect the direction of penetration of the bit,

principally through modifying the direction of the bit and/or the shear force on the bit. Several different methods of achieving this control by controlling the eccentricity of the rotary drill pipe in the borehole are described below. In all cases, the eccentric portion of the stabilizer does not rotate which allows the eccentricity to be oriented and cause the drill to penetrate in the direction desired. The non-rotation feature prevents significant wear of the formations by the stabilizer, an important benefit.

The two geometric terms, curvature and tool face orientation, define the directional properties of a borehole at any given depth and are critical to the following discussions. Curvature is the degree of bending or turning of the borehole and usually has the units of degrees/100 feet or degrees/10 meters. Tool face orientation is the clockwise angle from the high side reference in the ahead, high and right downhole coordinate system, FIG. 2. The degree of curvature and its tool face orientation are functions of and can be controlled by the degree of eccentricity of the rotating drill bit in the borehole and its tool face orientation.

The various stabilizer methods will be discussed in order of their functional performance level.

Applicant has reviewed the above-reproduced section of Patton and the remaining portions of Patton and have been unable to identify which portion of Patton describes adjusting a first center of said first adjustable stabilizer in the wellbore relative to a second center of said second stabilizer and with respect to the centerline of the wellbore. Applicant understands Patton to describe stabilizers that can be eccentrically positioned. However, Applicant finds no teaching or suggestion in Patton that a center of one stabilizer is adjusted relative to a center of another stabilizer and with respect to the centerline of the wellbore along the drilling assembly. Because Patton does not teach each and every aspect of claim 1, Applicant submits that claim 1 is not anticipated by Patton and thus is allowable over Patton.

Claims 2-4, 6-12 and 27 depend from claim 1, which for the reasons provided above are allowable over Patton. Eppink nowhere discloses, teaches or suggests the feature of adjusting the positions of the centers of the first and second stabilizers and with respect to the wellbore centerline. Further, Eppink

does not disclose independently controllable ribs as specified in claim 1. To the contrary, Eppink requires that the adjustable blades extend together (simultaneously). (see Eppink Col. 15, lines (9-26)).

Accordingly, Applicant submits that Eppink does not teach, show or disclose each step of claim 1. Therefore, claim 1 is not anticipated by Eppink and is thus allowable.

Claim 2-4 and 6-12 and 27 depend on claim 1 and are thus allowable for at least the reasons presented with respect to claim 1.

Independent claims 13 and 21, as amended, include the above-noted feature of claim 1. Accordingly, Applicant submits that claim 13 and 21 are not anticipated by of Eppink. The remaining claims depend upon either claim 13 or 21 and are allowable for at least the reasons presented with respect to claim 1.

#### **CLAIM REJECTIONS UNDER 35 U.S.C. 103**

Claims 7, 9-11 and 17-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Eppink et al in view of Patton.

As noted above, independent claim 1, 13 and 21 have been amended to include that the ribs of the independently adjustable stabilizer apply force to adjust or position the centers of the two stabilizers with respect to each other and the centerline of the wellbore. Neither Patton nor Eppink suggests, teaches or describes all of the features of any of the claims. Thus, no combination of Patton and Eppink provides all of the features of any of the independent claims. Accordingly, Applicant submits that combining Patton and Eppink does not provide the invention of independent claims 1, 13 or 21. Therefore, claim 1, 13 and 21 are not obvious in view of Patton and Eppink and are thus allowable. The remaining claims depend upon one of these claims and are thus not obvious at least for the above presented reasons.

**CONCLUSION**

Consideration of the application as amended is respectfully requested. The Commissioner is hereby authorized to charge any fee and credit any overpayment associated with this response to Deposit Account No. **02-0429(564-12835-USCQ)**.

Respectfully submitted,

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